

REMARKS

Applicant thanks the Examiner for his careful review of the application. Claims 1-80 are the pending claims. No new claims are added.

Allowability of the Rejected Independent Claims

Claims 1, 24, 39, and 51 were rejected under 35 U.S.C. §102(b) as being anticipated by EMC 39-12 User's Guide [hereinafter EMC].

Claims 1, 39, and 51 have been amended to include a requirement of a switching mechanism. Examples of such switching mechanisms are discussed in the specification on page 4, lines 22-26, and on page 5, lines 13-15. These references indicate that a variety of switches, dials, or touch screen liquid crystal displays may be used as the switching mechanism controllable by a user to select which port pair is monitored. The Examiner had objected to, but found patentable, previous claims 13-17, 42-45, and 59-62 that include specific embodiments of such an element such as a switch or liquid crystal display. The Examiner specifically indicated on pages 8 and 9 of his response dated June 3, 2004 that the prior art did not teach the use of switches, liquid crystal displays, or LED digit displays in the EMC reference. Thus, the Applicant respectfully requests withdrawal of the rejection of claims 1, 39, and 51.

Claim 24 has been amended to require a means for switching user-selection of a single port pair to monitor. Applicant respectfully asserts that the EMC reference's internal wiring of LEDs to monitor port pairs is not a means for switching user-selection from a first port pair to a second port pair for monitoring purposes. Once hard-wired, a device such as the EMC device cannot switch electrical paths without some type of switching mechanism. The Examiner, in his June 3, 2004 Office Action, stated that the EMC device and other prior art do not teach inclusion of types of switching mechanisms. See pages 8-9. Further, the fact that a user can focus their attention on various port pair LEDs in the EMC reference does not make the wiring of the EMC device a means for switching as recited in claim 24. The EMC internal wiring does not itself execute any switching. The recited means for switching includes one of the type of devices discussed in the specification, such as electrical switches, dials, LCD touch screens or other

switching mechanisms rather than the direct wiring to an LED. Thus, the Applicant respectfully requests withdrawal of the rejection of claim 24.

Applicant reserves the right to make additional arguments regarding the patentability of these claims as may be necessary.

Allowability of Amended Dependent Claims

Claims 14, 26, 28, 29, 30, 43, 44, 60, and 61 are amended in the current response. These claims were either rejected under 35 U.S.C. § 102(b) or objected to as being dependent upon a rejected base claim but allowable if rewritten in independent form.

Claim 14 was amended to indicate that the switching mechanism now required in claim 1 may in one embodiment be a switch.

Claims 26, 28 and 29 were amended to indicate that the means for switching user selection now required in claim 24 may in various embodiments be a switch or a pair of momentary switches.

Claim 30 was amended to correct a typographical error in the original application. Claim 30 now refers to dependent claim 26 rather than independent claim 24.

Claims 43 and 44 were amended to indicate that the switching mechanism now required in claim 39 may in various embodiments be a switch or a pair of momentary switches.

Claims 60 and 61 were amended to indicate that the switching mechanism now required in claim 51 may in various embodiments be a switch or a pair of momentary switches.

These amendments are intended to further clarify these claims and are in no way intended to change their scope. The Applicant asserts that these dependent claims are patentably distinct by virtue of their dependence upon the allowable independent claims. Thus, the Applicant respectfully requests withdrawal of the rejections and objections to these dependent claims.

Allowability of the Remaining Dependent Claims

Dependent claims 2-13, 15-23, 25, 27, 30-38, 40-42, 45-50, 52-59 and 62 were rejected under either 35 U.S.C. §102(b), 35 U.S.C. § 103(a), or because they were allowable but dependent on rejected claims. The Applicant asserts that these dependent claims are patentably distinct by virtue of their dependence upon the allowable independent claims. Thus, the Applicant respectfully requests withdrawal of the rejections of these claims.

Applicant reserves the right to make additional arguments regarding the patentability of these claims as may be necessary.

Allowability of Claims 63-80

Claims 63-80 were considered in allowable condition, and have not been amended. Applicant respectfully asserts that these claims continue to be in a condition for allowance.

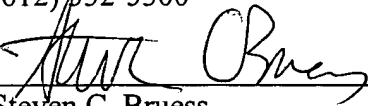
Conclusion

Claims 1-80 remain pending in the application. These claims are believed to be allowable for the reasons set forth above. This amendment is believed to be responsive to all points raised in the Office Action. Accordingly, Applicants respectfully request prompt reconsideration, allowance, and passage of the application to issue. Should the Examiner have any remaining questions or concerns, the Examiner is urged to contact the undersigned by telephone at the number below to expeditiously resolve such concerns.

Respectfully submitted,

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